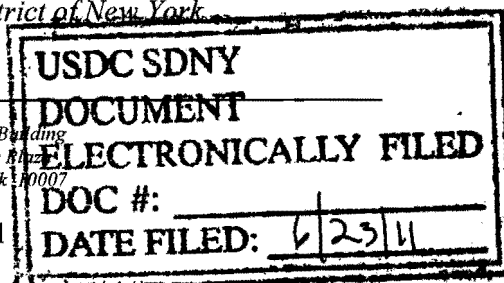


U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 22, 2011



BY FAX

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: United States v. Mondher Bejaoui,
10 Cr. 553 (SHS)

Dear Judge Stein:

The Government writes with consent of defense counsel to request a 30-day adjournment of the conference scheduled for tomorrow in the above-referenced case for the purpose of obtaining a competency evaluation of the defendant.


Since the Marshals Service served Your Honor's order for a competency evaluation on the Bureau of Prisons (BOP) approximately a month ago, the defendant has been designated to a particular facility for evaluation but has not been evaluated due to a shortage of beds in the facility. The legal staff of the BOP has been seeking to determine the date on which the defendant will be transported and evaluated. Accordingly, the Government respectfully requests that the conference scheduled for today be adjourned for 30 days to permit a Bureau of Prisons evaluation or, if that evaluation cannot commence shortly, to seek a private competency evaluation.

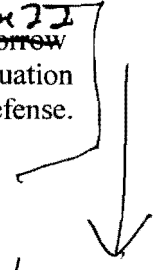
The Government requests that time be excluded in the interests of justice between ~~tomorrow~~ ^{June 22} and the new conference date pursuant to 18 U.S.C. 3161(h)(1)(A) and (h)(7), to allow the evaluation to take place and to ensure that the defendant is competent to assist in the preparation of his defense.

Respectfully submitted,

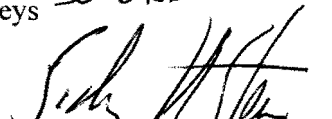
PREET BHARARA
United States Attorney

By:


Rachel Kovner
Alexander Wilson
Assistant United States Attorneys
Tel.: (212) 637-2470


The conference is
adjourned to July 28,
2011, at 2:30 p.m.

SO ORDERED:


Sidney H. Stein, U.S.D.J.

CC: Joshua Dratel & Lindsey Lewis, Esq.